REMARKS

Applicants respectfully request entry of the following amendments and remarks contained herein in response to the non-final Office Action mailed April 6, 2006. Applicants respectfully submit that the amendment and remarks contained herein place the instant application in condition for allowance.

Upon entry of the amendments in this response, claims 15 and 21 – 39 remain pending. In particular, Applicants amend claims 15, 21, 27, and 34. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Examiner Interview

Applicants first wish to express their sincere appreciation for the time that Examiner Gauthier spent with Applicants' Attorney, Anthony Bonner during a telephone discussion on May 18, 2006 regarding the outstanding Office Action. During that conversation, Examiner Gauthier seemed to indicate that it would be potentially beneficial for Applicants to make amendments contained herein. More specifically, Mr. Bonner and Examiner Gauthier discussed potentially amending claim 15 to more clearly indicate that a request is received by a digital voicemail system, from an Internet user. Thus, Applicants respectfully request that Examiner Gauthier carefully consider this response and the amendments.

II. Rejections Under 35 U.S.C. §102

A proper rejection of a claim under 35 U.S.C. §102 requires that a single cited art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983).

A. **Claim 21 is Patentable Over *Skladman***

The Office Action indicates that claim 21 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent Number 6,487,278 ("*Skladman*"). Applicants respectfully traverse this rejection on the grounds that *Skladman* does not disclose, teach, or suggest all of the claimed elements. More specifically, claim 21, as amended, recites:

> A system for accessing messages sent from a caller for a callee, the system comprising:
> an analog voicemail system configured to store a received analog voicemail message;
> a digital voicemail system configured to ***create a temporary digital mailbox for storing a received digital voicemail message***, the digital voicemail system including means for converting the received digital voicemail message into an analog voicemail message, wherein the converted analog message is configured for storage at the analog voicemail system; and
> a messaging server coupled to the standard telephone system, the messaging server further being coupled to the analog voicemail system, the messaging server further being coupled to the digital voicemail system, the messaging server comprising:
> means for extracting the received analog voicemail message from the analog voicemail system;
> means for digitizing the extracted analog voicemail message; and
> means for sending the digitized voicemail message to the digital voicemail system. ***(emphasis added)***

Applicants respectfully submit that claim 21, as amended, is allowable over the cited art for at least the reason that *Skladman* fails to disclose, teach, or suggest a "system for accessing messages sent from a caller for a callee, the system comprising… a digital voicemail system configured to ***create a temporary digital mailbox for storing a received digital voicemail message***, the digital voicemail system including means for converting the received digital voicemail message into an analog voicemail message, wherein the converted analog message is

configured for storage at the analog voicemail system" as recited in claim 21, as amended. More specifically, *Skladman* appears to disclose a system configured to "retrieve messages and then store them locally on the unified server" (col. 6, line 43). However, *Skladman* fails to disclose "a digital voicemail system configured to ***create a temporary digital mailbox for storing a received digital voicemail message***" as recited in claim 21. For at least this reason, claim 21, as amended, is allowable over the cited art.

B. Claims 22 – 26 are Patentable Over *Skladman*

The Office Action indicates that claims 22 – 26 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent Number 6,487,278 ("*Skladman*"). Applicants respectfully traverse this rejection on the grounds that *Skladman* does not disclose, teach, or suggest all of the claimed elements. More specifically, dependent claims 22 – 26 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 21. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

C. Claim 27 is Patentable Over *Pepe*

The Office Action indicates that claim 27 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent Number 5,742,905 ("*Pepe*"). Applicants respectfully traverse this rejection on the grounds that *Pepe* does not disclose, teach, or suggest all of the claimed elements. More specifically, claim 27, as amended, recites:

> A digital voicemail system for receiving voicemail from a caller for a callee, the system comprising:

logic configured to receive a digital voicemail from a caller, the digital voicemail being configured for delivery to a callee;

logic configured to, ***in response to receiving the digital voicemail***, send a query for determining whether the callee is a subscriber of an analog voicemail system;

logic configured to receive an indication as to whether the callee is a subscriber of an analog voicemail system;

logic configured to, in response to receiving an indication that the callee is a subscriber of an analog voicemail system, convert a received digital voicemail message into an analog voicemail message; and

logic configured to convey the converted analog voicemail message to the analog voicemail system. ***(emphasis added)***

Applicants respectfully submit that claim 27, as amended, is allowable over the cited art for at least the reason that *Pepe* fails to disclose, teach, or suggest a "digital voicemail system for receiving voicemail from a caller for a callee, the system comprising… logic configured to receive a digital voicemail from a caller, the digital voicemail being configured for delivery to a callee [and] logic configured to, ***in response to receiving the digital voicemail***, send a query for determining whether the callee is a subscriber of an analog voicemail system" as recited in claim 27, as amended. More specifically, *Pepe* appears to disclose "a user having a digital voice mail system [for] creat[ing] a voice mail message and addressing it to a user of an analog voice mail system" (col. 28, line 28). Applicants respectfully submit that, as illustrated in this passage, *Pepe* fails to disclose a "digital voicemail system… comprising… logic configured to, ***in response to receiving the digital voicemail***, send a query for determining whether the callee is a subscriber of an analog voicemail system" as recited in claim 27, as amended. For at least this reason, claim 27, as amended, is allowable over the cited art.

D. Claim 34 is Patentable Over *Pepe*

The Office Action indicates that claim 34 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent Number 5,742,905 ("*Pepe*"). Applicants respectfully traverse this rejection on the grounds that *Pepe* does not disclose, teach, or suggest all of the claimed elements. More specifically, claim 34, as amended, recites:

> A method at a digital voicemail system for receiving voicemail from a caller for a callee, the method comprising:
> receiving a digital voicemail from a caller, the digital voicemail being configured for delivery to a callee;
> ***in response to receiving the digital voicemail***, sending a query for determining whether the callee is a subscriber of an analog voicemail system;
> receiving an indication as to whether the callee is a subscriber of an analog voicemail system;
> in response to receiving an indication that the callee is s subscriber of an analog voicemail system, converting a received digital voicemail message into an analog voicemail message; and
> conveying the converted analog voicemail message to the analog voicemail system. ***(emphasis added)***

Applicants respectfully submit that claim 34, as amended, is allowable over the cited art for at least the reason that *Pepe* fails to disclose, teach, or suggest a "method at a digital voicemail system for receiving voicemail from a caller for a callee, the method comprising… receiving a digital voicemail from a caller, the digital voicemail being configured for delivery to a callee [and] ***in response to receiving the digital voicemail***, sending a query for determining whether the callee is a subscriber of an analog voicemail system" as recited in claim 34, as amended. More specifically, *Pepe* appears to disclose "a user having a digital voice mail system [for] creat[ing] a voice mail message and addressing it to a user of an analog voice mail system" (col. 28, line 28). Applicants respectfully submit that, as illustrated in this passage, *Pepe* fails to disclose a "method at a digital voicemail system… comprising… ***in response to receiving the***

digital voicemail, sending a query for determining whether the callee is a subscriber of an analog voicemail system" as recited in claim 34, as amended. For at least this reason, claim 34, as amended, is allowable over the cited art.

E. Claims 28 – 33 and 35 – 39 are Patentable Over *Pepe*

The Office Action indicates that claims 28 – 33 and 35 – 39 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent Number 5,742,905 (*"Pepe"*). Applicants respectfully traverse this rejection on the grounds that *Pepe* does not disclose, teach, or suggest all of the claimed elements. More specifically, dependent claims 28 – 33 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 27. Further, dependent claims 35 – 39 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 34. *In re Fine*, *Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

III. Claim 15 is Patentable Over *Skladman* in view of *Blossom*

The Office Action indicates that claim 15 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Skladman* in view of U.S. Publication Number 2005/0099995 A1 (*"Blossom"*). Applicants respectfully traverse this rejection for at least the reason that *Skladman* in view of *Blossom* fails to disclose, teach, or suggest all of the elements of claim 15. More specifically, claim 15, as amended, recites:

> A method for accessing messages, the method comprising the steps of:
>
> receiving, ***at a digital voicemail system***, a request from an Internet user, to access a voicemail message in a legacy voicemail system, the legacy voicemail system being configured to receive and store analog

messages, the request being received over the Internet;

converting the request to a command of the legacy voicemail system;

retrieving the voicemail message from the legacy voicemail system, using the command;

converting the voicemail message to a voice-over-Internet-protocol (VoIP) message; and

transmitting the VoIP message to the Internet user over the Internet. ***(emphasis added)***

Applicants respectfully submit that claim 15, as amended, is allowable over the cited art for at least the reason that *Skladman* in view of *Blossom* fails to disclose, teach, or suggest a "method for accessing messages, the method comprising the steps of… receiving, ***at a digital voicemail system***, a request from an Internet user, to access a voicemail message in a legacy voicemail system, the legacy voicemail system being configured to receive and store analog messages, the request being received over the Internet" as recited in claim 15, as amended. More specifically, *Skladman* appears to disclose "receiving a request from the unified message server 64" (col. 4, line 22). Applicants respectfully submit that, as illustrated in this passage, *Skladman* fails to disclose, teach, or suggest all of the claimed elements of claim 15, as amended. Applicants additionally submit that *Blossom* fails to overcome the deficiencies of *Skladman*. For at least these reasons, claim 15, as amended, is allowable over the cited art.

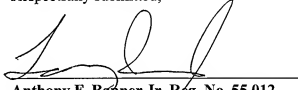
CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Further, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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